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ZINC CORPORATION OF AMERICA
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November 11, 1991

VIA TELECOPIER

Mr. Edwin B. Erickson
Regional Administrator
United States Environmental Protection Agency
Region III
841 Chestnut Street
Philadelphia, Pennsylvania 19107

Re: Palmerton Zinc Site

Dear Mr. Erickson:

Following our meeting last Thursday, November 7, 1991, we have considered EPA's position that any removal action for lead in Palmerton must involve cleaning of the dust in certain of the sampled houses. We view this position as (1) contrary to CERCLA and the NCP; and (2) inferior to ZCA/Paramount's proposal which focuses any response action on actual rather than hypothetical health threats. A general housecleaning in Palmerton will not isolate the source of any excessive lead exposure, nor will it preclude recontamination of the house by dust. Furthermore, it would be irresponsible for ZCA to commit to an open-ended cleanup program where it cannot reasonably estimate the costs before making the commitment.

On the other hand, ZCA believes it is in its best interests to continue to cooperate with EPA in Palmerton. From our meeting, we think we understand EPA's need to take some kind of action on the twenty-four houses which were sampled. Accordingly, while preserving all of our previously expressed objections to the lawfulness and/or reasonableness of EPA's approach, ZCA will commit to the following:

- (1) The twenty-four houses will be cleaned of dust to an agreed upon level, probably expressed in terms of ug/m^2 , as sampled on the porch and on selected bare horizontal surfaces inside the houses.

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- (2) Data will be taken before, during, and after cleaning to show (a) the effectiveness of the cleaning; (b) whether there is redeposition of lead in the dust; (c) the source of lead in the dust; (d) the effect, if any, of cleaning on pediatric blood lead. The analyses for lead will use the most reliable analytical technique, probably atomic absorption.
- (3) ZCA/Paramount will proceed with the survey and response action based upon the CDC guidance document outlined in the letter from James Allen to Cynthia Nadolski of October 25, 1991, with attachments.
- (4) ZCA's commitment to the above is limited to an aggregate out-of-pocket expenditure of \$500,000.00 (For your information, our contractor has estimated \$85,250.00 to complete item (3), which is the only portion of this proposal on which Paramount has agreed to participate with ZCA).

Following evaluation of the data collected above, any follow-up work at Palmerton can be more narrowly focused.

We believe it is significant for EPA to know that, for all intents and purposes, ZCA is in this alone. There is no known prospect of insurance coverage and Paramount has firmly rejected all but a very limited participation. Also, due to the serious and ongoing recession coupled with even worse conditions in the global zinc market, ZCA has suffered debilitating losses for all of 1991. Therefore, it is important to bring into perspective what a commitment of this magnitude means to us as a company. We are not EXXON, General Motors or even Gould and this is the reason it would be irresponsible for us to commit to an open ended, unquantifiable program such as the one at Throop. Entering into such an agreement would have the clear potential to bankrupt us.

ZCA is ready at any time to begin negotiations with EPA on the details of the above program.

Very truly yours,



GARY A. WICKHAM
President

teb
cc: Thomas Voltaggio

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